

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

*Frank J. Bailey*

---

In re: )  
 )  
DAVIS HEALTH, PC, ) CHAPTER 7  
 ) CASE NO. 16-13871-FJB  
Debtor )

---

**CHAPTER 7 TRUSTEE'S MOTION FOR THE ENTRY OF AN ORDER REQUIRING  
TURN OVER OF FUNDS AND AUTHORIZING PAYMENT TO CUSTODIAN  
(REQUEST FOR EMERGENCY DETERMINATION)**

Mark G. DeGiacomo, the duly-appointed Chapter 7 trustee for the above-captioned bankruptcy estate (the "Trustee") hereby moves this Court pursuant to Section 543 of the Bankruptcy Code, for the entry of an order requiring that Robert Gold ("Gold") turn over to the Trustee all of the Debtor's funds which he is holding as custodian and authorizing the payment of amounts due Gold as custodian.

In support of this Motion, the Trustee respectfully states:

1. On October 7, 2016, Davis Health, PC (the "Debtor") filed a voluntary petition pursuant to Chapter 7 of the Bankruptcy Code.
2. On October 10, 2016, the Trustee was appointed as the Chapter 7 trustee of the bankruptcy estate of the Debtor.
3. On May 23, 2014, Gold was appointed by the Norfolk County Superior Court as an "independent administrator" for the Debtor. Attached hereto as Exhibit A is a copy of an Order entered by Judge Angel Kelley Brown dated May 23, 2014.
4. Gold, as a state court appointed independent administrator, qualifies as a custodian of the Debtor.